

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- March 23, 1966

Appeal No. 8644 Eleanor M. Chadwick, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on March 30, 1966.

EFFECTIVE DATE OF ORDER -- May 11, 1966

**ORDERED:**

That the appeal for a variance from the provisions of Sections 7205.2, 7204.1, and 7107 to permit a seven (7) unit apartment house and adjoining rooming house combined into one apartment house containing seventeen (17) units and permit accessory parking less than 10 feet from the building and less than 9' x 19' in size at 1747-49 Church Street, NW., lots 331 and 285, square 156, be granted.

From the record and the evidence adduced at the public hearing, the Board finds the following facts:

- (1) Appellant's property is located in the R-5-B District.
- (2) In Appeal No. 8408, the Board entered an Order on October 19, 1965, conditionally granting an appeal for a variance from the provisions of Paragraphs 7205.2 and 7204.1 of the Zoning Regulations to permit parking space less than ten feet from the main building and less than 9' x 19' in size, and for permission to park on a lot other than that which the main building is located, to permit conversion of building into a thirteen-unit apartment house at the same addresses.
- (3) Lot 331 has a 36.8 foot frontage on Church Street and a depth of 95 feet to a 12 foot public alley.
- (4) Lot 285 has a 18.4 foot frontage on Church Street and a depth of 95 feet to a 12 foot public alley.
- (5) Lot 331 is improved by a three story and basement building covering about 75% of the lot with a FAR of about 3.0, known as 1747 Church Street, NW.
- (6) Lot 285 is improved by a three story and basement building and covers about 40% of the lot with an FAR of about 1.6, known as 1749 Church Street, NW.
- (7) Appellant proposes to combine the two buildings into one apartment house containing 17 units.
- (8) If the two buildings are combined, there would be a total lot occupancy of about 63% and an FAR of 2.5+.

(9) Appellant proposes to make no additions or enlargements to the existing structures.

(10) Section 3302 of the Zoning Regulations permits an FAR of 1.8 for structures in the R-5-B District.

(11) Section 3308 of the Zoning Regulations permits a lot occupancy of 60% in the R-5-B District.

(12) The record contains two letters from members of the neighborhood objecting to the granting of this appeal, and a petition in opposition containing 16 signatures.

(13) No objection to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations, and that a denial of the requested relief would result in peculiar and exceptional practical difficulties and exceptional and undue hardship upon the owner.

We are further of the opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.